

Adopted	Rejected
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COMMITTEE REPORT

YES:	12
NO:	0

MR. SPEAKER:

*Your Committee on Agriculture, Natural Resources and Rural Development, to which was referred Senate Bill 217, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 SECTION 1. IC 2-5-27 IS ADDED TO THE INDIANA CODE AS
- 4 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
- 5 1, 2002]:
- 6 **Chapter 27. Commission on Mental Retardation and**
- 7 **Developmental Disabilities**
- 8 **Sec. 1. As used in this chapter, "commission" refers to the**
- 9 **commission on mental retardation and developmental disabilities**
- 10 **established under section 2 of this chapter.**
- 11 **Sec. 2. There is established the commission on mental**
- 12 **retardation and developmental disabilities as a legislative study**
- 13 **committee.**

1 **Sec. 3. (a) The commission consists of the following members:**

2 **(1) Two (2) members of the house of representatives**
 3 **appointed by the speaker of the house of representatives. The**
 4 **members appointed under this subdivision may not be**
 5 **members of the same political party.**

6 **(2) Two (2) members of the senate appointed by the president**
 7 **pro tempore of the senate. The members appointed under this**
 8 **subdivision may not be members of the same political party.**

9 **(3) The following members appointed by the governor:**

10 **(A) Three (3) members at large. Not more than two (2)**
 11 **members appointed under this clause may be members of**
 12 **the same political party.**

13 **(B) One (1) member who is a consumer of mental**
 14 **retardation or developmental disability services.**

15 **(C) One (1) member who is a representative of advocacy**
 16 **groups for consumers of mental retardation and**
 17 **developmental disability services.**

18 **(D) Two (2) members who are representatives of families**
 19 **of consumers of mental retardation and developmental**
 20 **disability services.**

21 **(E) One (1) member who is a representative of an**
 22 **organization providing services to individuals with mental**
 23 **retardation and developmental disabilities.**

24 **(b) The term of a commission member appointed under**
 25 **subsection (a)(3) is three (3) years.**

26 **(c) The governor shall fill a vacancy of a member under**
 27 **subsection (a)(3) within ten (10) days after the vacancy occurs.**

28 **(d) If:**

29 **(1) the term of a member appointed under subsection (a)(3)**
 30 **expires;**

31 **(2) the member is not reappointed; and**

32 **(3) a successor is not appointed;**

33 **the term of the member continues until a successor is appointed.**

34 **Sec. 4. The commission shall do the following:**

35 **(1) Develop a long range plan to stimulate further**
 36 **development of cost effective, innovative models of**
 37 **community based services, including recommendations that**
 38 **identify implementation schedules, plans for resource**

development, and appropriate regulatory changes.

(2) Review and make recommendations regarding any unmet needs for mental retardation and developmental disability services, including the following:

(A) Community residential and family support services.

(B) Services for aging families caring for adult mentally retarded and developmentally disabled children.

(C) Services for families in emergency or crisis situations.

(D) Services needed to move children and adults from nursing homes and state hospitals to the community.

(3) Study and make recommendations for the state to contract with a private entity to manage and implement home and community based services waivers under 42 U.S.C. 1396n(c).

(4) Study and make recommendations regarding state funding needed to provide supplemental room and board costs for individuals who otherwise qualify for residential services under the home and community based services waivers.

(5) Monitor and recommend changes for improvements in the implementation of home and community based services waivers managed by the state or by a private entity.

(6) Review and make recommendations regarding the implementation of the comprehensive plan prepared by the developmental disabilities task force established by P.L.245-1997, SECTION 1.

(7) Review and make recommendations regarding the development by the division of disability, aging, and rehabilitative services of a statewide plan to address quality assurance in community based services.

(8) Annually review the infants and toddlers with disabilities program established under IC 12-17-15.

Sec. 5. The commission shall operate under the policies governing study committees adopted by the legislative council.

Sec. 6. The affirmative votes of a majority of the members appointed to the commission are required for the commission to take action on any measure, including final reports.

Sec. 7. This chapter expires January 1, 2005."

Page 3, line 19, after "and" insert "compliance with".

Page 4, between lines 5 and 6, begin a new paragraph and insert:

1 "SECTION 4. THE FOLLOWING ARE REPEALED [EFFECTIVE
2 JULY 1, 2002]: P.L.272-1999, SECTION 67; P.L.242-2001, SECTION
3 3.

4 SECTION 5. [EFFECTIVE JULY 1, 2002] **Notwithstanding**
5 **IC 2-5-27-3, as added by this act, an individual who was appointed**
6 **as a lay member of the Indiana commission on mental retardation**
7 **and developmental disabilities in 2001 remains a member of the**
8 **commission until:**
9 **(1) the member resigns; or**
10 **(2) January 1, 2004;**
11 **whichever is earlier."**

12 Renumber all SECTIONS consecutively.
 (Reference is to SB 217 as reprinted January 25, 2002.)

and when so amended that said bill do pass.

Representative Lytle